
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

UNITED STATES OF AMERICA,
Plaintiff,

v.

JAMES ELLISON McKIBBIN,
Defendant.

MEMORANDUM DECISION AND
ORDER DISMISSING MOTION FOR
LACK OF SUBJECT MATTER
JURISDICTION

Case No. 2:13-CR-206 TS

District Judge Ted Stewart

This matter is before the Court on Defendant's Motion to Change Requirements During Incarceration. Defendant seeks to change the amount restitution he is paying while incarcerated. In doing so, Defendant challenges the Bureau of Prisons determination in implementing the Inmate Financial Responsibility Program. Such challenges must be filed under 28 U.S.C. § 2241, after exhausting all administrative remedies, in the district in which Defendant is incarcerated.¹ As such, this Court lacks jurisdiction to consider his request and his Motion will be dismissed.


It is therefore

ORDERED that Defendant's Motion to Change Requirements During Incarceration (Docket No. 19) is DISMISSED FOR LACK OF JURISDICTION.

¹ See *United States v. Diggs*, 578 F.3d 318, 319–20 & * n.1 (5th Cir. 2009) (collecting cases).

DATED this 13th day of October, 2016.

BY THE COURT:



Ted Stewart
United States District Judge